Embassy in Washington drafts of model agreements on issues that were expected to come up for discussion during the visit of the Minister of State for Commerce to Washington. However the matter was subsequently not raised and no discussion on any draft agreement took place.

Visit of US Trade Representative and Patent Laws

380. SHRI YASHWANT SINHA: Will the Minister of COMMERCE be pleased to state:

(a) whether the National Working Group on Patent Laws has released any Press Statement on October 11, 1991 on the visit of US Trade Representative;

(b) if so, what were the issues stated in the Press Statement;

(c) whether it is a fact that US trade representative has tried to misguide the Indians that the prices of drugs and pharmaceuticals in the country would decrease on the introduction of new patent regime as prtptgated by US;

(d) what are the details of new proposals of USA about the patent regime which should be followed by our country; and

(e) whether it is a fact that US Trade Representative has ruled out the broad compulsory licensing provisions which are an integral features of our Patent Laws?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE (SHRI P. CHIDAMBARAM): (a) to (e) The National Working Group on Patent Laws issued a Press Release on 11 October, 1991 in connection with remarks stated to have been made at a Press Conference held by the United States Trade Representative Ms. Carla Hills on 7 October, 1991 during her visit to India. According to press reports, Ms. Carla Hills stated, *inter alia*, that various analyses had shown that drug prices had come down in countries which had enforced patent protection. According to the National Working Group, this statement incorrect. According to an analysis undertaken by the National Working Group, prices of drugs in India would rise several times if product patents were introduced for drugs and pharamaceuticals.

The Press Release also refers to a statement reported to have been made by Ms. Carla Hills that the turnover of patented drugs in India is only five per cent. The National Working Group has contested this estimate, although according to the Group, no authentic data on this is available.

No new proposals have been received from the United States about the patent regime, which should be followed by India. However, in respect of patents, the United States has been raising the issue of the inadequate level of patent protection available in India, including the short term of protection and overly-broad compulsory licensing provisions. In respect of compulsory licensing, the US position in bilateral discussions as well as in the Uruguay Round is that such non-voluntary licences should be issued to meet situations of national emergency or to deal with adjudicated cases of anti-trust.

Acceptance of high cost option by India at Uruguay Round Talks

381. SHRI DHULESHWAR MEENA: Will he Minister of COMMERCE be pleased to state:

(a) whether most of the developing countries including India propose to accept a series of high-cost options without any corresponding gains at the Uruguay Round of Trade negotiations;

(b) what has been India's stand on issues relating to trade-related intellectual property rights (TRIPs), Trade-related investment measures and the trade in services; and

(c) whether Government have evolved a strategy to fight out the pressure being imposed by the developed countries?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE (SHRI P. CHIDAMBARAM): (a) The Uruguay Round negotiations are still continuing and there is no finality so far in respect of the various proposals under consideration. Therefore, the question of accepting high cost options without any corresponding gains does not arise.

(b) India's stand on Trade-Related Aspects of Intellectual Property Rights (TRIPs) has been that sufficient flexibility must be provided in any international framework on Intellectual Property Rights to take into account the developmental and technological needs and public policy objectives of developing countries. In the case of India, this is particularly relevant in the area of patents on account of our concerns regarding food security and access to medicines and health care at affordable prices. We re also opposed to the lodgement of such an agreement in GATT.

On Trade-Related Investment Measures (TRIMs), India has taken the stand that investment measures are used to harmonise the interests of foreign investors with the public policy objectives and priorities and the ability of Government to employ such measures should not be curbed. Our approach in the Uruguay Round has therefore been only to permit the interpretation and application of existing GATT rules to TRIMs and not to allow any new disciplines to be developed.

In respect of trade in Services, India is prepared to consider granting market access in selected sectors to foreign services providers in return for access in sectors of our interest with the facility of temporary relocation of service personnel covering a wide spectrum of skills.

(c) India's strategy has been to forge a common stand along with other like-minded developing countries in order to strengthen our negotiating position.

Export and import target for the current financial year

382. SHRI SARADA MOHANTY:
SHRIMATI MIRA DAS:
SHRI CHIMANBHAI MEHTA:

Will the Minister of COMMERCE be pleased to state.

(a) what is the value of export and import targetted for the current financial year and what percentage of the Gross Domestic Production do these constitute;

(b) what has been the actual performance during this year so far; and

(c) whether the Exim Scrips have been found advantageous for encouraging exports; if so, in what manner?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE (SHRI P. CHIDAMBARAM): (a) In light of uncertainities relating to developments in the global economy, exports to USSR on account of difficulties being experienced by the USSR to supply necessary imports due to dislocation in the Soviet Union, severe import curbs imposed on account of critical Balance of Payments situation and time lag for exporters to react to the far reaching reforms in trade policy, no specific export target for 1991-92 has been finalised. Ministry of Commerce do not fix any import target.